

fw



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/981,001

10/17/2001

John D. Doyle

EMP04-09

5503

22468

7590

05/31/2005

CHAPIN & HUANG L.L.C.  
 WESTBOROUGH OFFICE PARK  
 1700 WEST PARK DRIVE  
 WESTBOROUGH, MA 01581

EXAMINER

PHAM, TUAN

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/981,001	Applicant(s) DOYLE ET AL.	
	Examiner TUAN A. PHAM	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, see Applicant's remark, filed on 11/05/04, with respect to the rejection(s) of claim(s) 1-10 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Mohammadian et al. (U.S. Patent No.: 6,738,454).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. **Claims 1- 3, 5-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Mohammadian et al. (U.S. Patent No.: 6,738,454, hereinafter, "Mohammadian").**

**Regarding claim 1**, Mohammadian teaches a method of providing a multiple interface system (see figure 1) comprising the steps of:

providing a first module having a first physical telecommunication interface and running a first telecommunications protocol (see figure 1, base unit 10, female connector, T1 protocol, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4),

providing a second module having a second physical telecommunication interface (see figure 1, application module, male connector 26, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4), the second physical interface being different from the first physical telecommunication interface (see figure 1, male connector 26, female connector, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4), the second module running the first telecommunication protocol (see col.5, ln.8-13, col.9, ln.14-20, col.10, ln.11-37, both base unit 10 and application module are running the same T1 protocol for testing); and

sharing a resource from the second module with the first module (see col.9, ln.1-13, col.10, ln.11-37).

**Regarding claim 2**, Mohammadian further teaches the first physical telecommunications interface and the second physical telecommunications interface are selected from the group consisting of T1, E1, T3 and E3 (see col.9, ln.15-20).

**Regarding claim 3**, Mohammadian further teaches the resource comprises a digital signal processor (DSP) (see figure 2, DSP 66).

**Regarding claim 5**, Mohammadian further teaches the step of providing a communications path between the first module and second module (see figure 2, col.10, ln.11-37).

**Regarding claim 6**, Mohammadian further teaches the step of changing a configuration of the system from one associated with the first physical telecommunications interface to one associated with the second physical telecommunications interface (see col.7, ln.1-8, col.10, ln.11-37).

**Regarding claim 7**, Mohammadian further teaches the step of making the interface channels appear contiguous across the first physical telecommunications interface and the second physical telecommunications interface (see col.7, ln.21-31).

**Regarding claim 8**, Mohammadian further teaches at least one of the first module and the second module comprise an audio enabled module (see figure 2, audio subsystem 48).

**4. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mohammadian et al. (U.S. Patent No.: 6,738,454, hereinafter, "Mohammadian") in view of Weller (U.S. Patent No.: 6,662,211).**

**Regarding claim 9**, Mohammadian teaches a method of providing a multiple interface system (see figure 1) comprising the steps of:

providing a first module having a first physical telecommunication interface and running a first telecommunications protocol (see figure 1, base unit 10, female connector, T1 protocol, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4),

providing a second module having a second physical telecommunication interface (see figure 1, application module, male connector 26, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4), the second physical interface being different from the first physical telecommunication interface (see figure 1, male connector 26, female connector, col.9, ln.14-20, col.10, ln.64-67, col.11, ln.1-4), the second module running the first telecommunication protocol (see col.5, ln.8-13, col.9, ln.14-20, col.10, ln.11-37, both base unit 10 and application module are running the same T1 protocol for testing); and

sharing a resource from the second module with the first module (see col.9, ln.1-13, col.10, ln.11-37).

It should be noticed that Mohammadian fails to teach the first module and the second module utilize Pulse Code Modulated (PCM) audio streams. However, Weller teaches such features (see col.1, ln.25-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Weller into view of Mohammadian, in order to encode an analog voice signal into a digital bit stream.

**Regarding claim 10**, Weller further teaches the PCM audio stream comprises an audio stream selected from the group comprising Mu-law encoded audio and A-law encoded audio (see col.1, ln.25-33).

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the

Art Unit: 2643

applicants are also requested to consider the following references. Although Brouwer et al. (U.S. Patent No. 6,279,124), Yokoyama et al. (U.S. Patent No. 4,942,534), and Tokuda et al. (U.S. Patent No. 5,313,211) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (571) 272-7499 and

**IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (571) 272-2600 FOR THE SUBSTITUTIONS OR COPIES.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2643  
May 21, 2005  
Examiner

Tuan Pham

  
CURTIS KUNTZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600